



DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As the below-named inventors, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled ANTI- $\alpha_v\beta_3$ RECOMBINANT HUMAN ANTIBODIES, NUCLEIC ACIDS ENCODING SAME AND METHODS OF USE, the specification of which

_____ is attached hereto as Attorney Docket No. _____.

X was filed on January 30, 1998, (Attorney Docket No. P-IX 2965) as Application Serial No. 09/016,061 and was amended on (or amended through) _____ (if applicable)

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I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56 (a).

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first

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paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
08/791,391	January 30, 1997	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

CATHRYN CAMPBELL, Registration No. 31,815; SUSAN M. PERKINS, Registration No. 36,405; PAUL C. STEINHARDT, Registration No. 30,806; GREGORY R. HOOK, Registration No. 38,701; DAVID SPOLTER, Registration No. 36,933; DAVID A. GAY, Registration No. 39,200; CALVIN A. FAN, Registration No. 38,444; ROBERT T. RAMOS, Registration No. 37,915; ANDREA L. GASHLER, Registration No. 41,029; and JAMES J. WONG, Registration No. 34,949. Direct all telephone calls to Cathryn Campbell at telephone no. (619) 535-9001.

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Address all correspondence to:

CATHRYN CAMPBELL
Campbell & Flores LLP
4370 La Jolla Village Drive
Suite 700
San Diego, California 92122

Full name of first inventor: William D. Huse

Inventor's signature: WDH

Date: 29 June 1998

Residence: Del Mar, California

Citizenship: United States

Post Office Address: 471 Avenida Primavera
Del Mar, California 92014

Full name of second inventor: Scott M. Glaser

Inventor's signature: Scott M. Glaser

Date: 25 June 1998

Residence: San Diego, California

Citizenship: United States

Post Office Address: 2250 Pine Street
San Diego, California 92103

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Docket No. P-IX 2965

Applicants: Huse and Glaser

Serial No.: 09/016,061

Filed: January 30, 1998

For: ANTI- α , β , RECOMBINANT HUMAN ANTIBODIES, NUCLEIC ACIDS ENCODING SAME AND METHODS OF USE

VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS (37 CFR 1.9(F) AND 1.27(C))

SMALL BUSINESS CONCERN

I hereby declare that I am

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: IXSYS, INCORPORATED
ADDRESS OF SMALL BUSINESS CONCERN: 3520 Dunhill Road
San Diego, California 92121

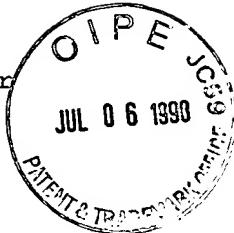
I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled ANTI- α , β , RECOMBINANT HUMAN ANTIBODIES, NUCLEIC ACIDS ENCODING SAME AND METHODS OF USE by inventors William D. Huse and Scott M. Glaser as described in

the specification filed herewith
 application serial no. 09/016,061, filed January 30, 1998
 patent no. , issued

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If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: IXSYS Inc

ADDRESS: 3520 Dahlil Street, San Diego CA 92121

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

NAME: _____

ADDRESS: _____

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

William D. Huse

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TITLE IN ORGANIZATION:

Chief Scientific Officer

ADDRESS OF PERSON SIGNING:

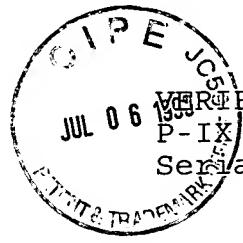
1993 Zapa St. Del Mar Ca

SIGNATURE:

W.D.H.

DATE:

4/14/98



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
P-IX 2965
Serial No.: 09/016,061

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on July 2, 1998.

By



David A. Gay, Reg. No. 39,200

July 2, 1998
Date of Signature

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